

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America )

v. )

Brian Shafer )

Case No. 17- 1320-17 )

\_\_\_\_\_  
Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 3, 2016 & Sept 28, 2017 in the county of Northampton in the  
Eastern District of Pennsylvania, the defendant(s) violated:

## Code Section

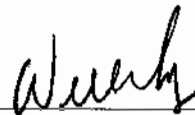
## Offense Description

Title 18, United States Code,  
Sections 2252(a)(4)(B).

Knowingly possessed child pornography.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

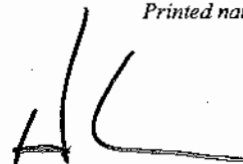
☒ Continued on the attached sheet.

Complainant's signature

William G. Smith, Special Agent FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 9/28/2017

Judge's signature

City and state: Allentown, PA

The Hon. Henry S. Perkin, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT OF FBI SPECIAL AGENT WILLIAM G. SMITH**  
**IN SUPPORT OF ARREST WARRANT**

I, William G. Smith, a Special Agent with the Federal Bureau of Investigation (FBI), Philadelphia Division, being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI Since June, 2002. I am currently assigned to the Allentown Resident Agency of the Philadelphia Division. Prior to joining the FBI, I was employed as a police officer for the Warminster Township Police Department from April 1992 to May 2002. As a Special Agent I have received instruction and on-the-job training in various aspects of law enforcement. During my employment with the FBI, I have participated in investigations involving bank robberies, drug trafficking, financial institution fraud, and crimes against children, among other federal violations. In the course of those investigations, I have conducted consensual body recordings, have employed the use of electronic surveillance techniques, have executed numerous search and arrest warrants, conducted surveillance, and secured other relevant information using other investigative techniques. While employed by the FBI, I have also investigated federal criminal violations including the FBI's Innocent Images National Initiative which investigates matters involving the online sexual exploitation of children.

2. As a Federal Agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. The statements in this Affidavit are based in part on information provided by Detective Anthony Stevens of the Bethlehem Township Police Department and on my investigation of this matter. Since this affidavit is being submitted for the limited purpose of

securing an arrest warrant, I have not included each and every fact known to me concerning this investigation.

4. I submit there is probable cause to believe that on or about October 3, 2016 and again on September 28, 2017, Brian Shafer knowingly possessed child pornography, in violation of Title 18, United States Code, Section 2252(a)(4)(B), which states "any person who – knowingly possesses, or knowingly accesses with intent to view, 1 or more books, magazines, periodicals, films, video tapes, or other matter which contain any visual depiction that has been mailed, or has been shipped or transported using any means of interstate or foreign commerce or in a or affecting interstate or foreign commerce, or which was produced using materials which have been mailed or so shipped or transported by any means including by computer, if – (i) the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and (ii) such visual depiction is of such conduct" is punishable.

#### **BACKGROUND OF THE INVESTIGATION**

5. On October 3, 2016, a manager with the Best Buy Geek Squad, Melissa Fox, reported to law enforcement that a customer dropped off a computer for repair at the Best Buy, located at 4413 Birkland Place, Bethlehem Township, Pennsylvania, 18045, which was found to contain images depicting the sexual abuse of children. Officer Kevin Lindsay, of the Bethlehem Township Police Department, responded to Best Buy.

6. Fox reported to Officer Lindsay that on October 3, 2016, customer, Brian Shafer, dropped off his H.P personal computer Pavillion Model #P6620F, black in color, serial number MXX0460SRV for repair. Shafer complained his Internet was running slowly while connected to his home Internet and when downloading from the Internet. While conducting a computer

diagnostic check, Fox stated images were found in the computer's "Recycling Bin" of an unclothed, underage male in sexual poses. Fox also advised law enforcement that while conducting their computer diagnostics, they found a large folder of images that were deleted from Shafer's computer and transferred to an external media right before it was dropped off at the Best Buy for service. Furthermore, the "favorites" tab had a book-marked folder named "Special." Some of the favorite sites included "boyscollector.com" and "babul-johnie.net." The "babul-johnie.net" page advised the user to email the web administrator in order to obtain a private code to access the web page's contents. Officer Lindsay secured the computer with the intention of obtaining a search warrant.

7. On October 26, 2017, Bethlehem Police Department Detective Anthony Stevens obtained a search warrant to search Shafer's computer. On the same date, Detective Stevens transported Shafer's computer to the DeSales Digital Forensics Laboratory for analysis. On January 23, 2017, Detective Stevens met with DeSales Digital Forensics Laboratory examiner for the results. Among other findings, the examiner noted there were over one thousand images of child pornography discovered on Shafer's computer hard drive.

8. On March 27, 2017, Special Agent William Smith interviewed Best Buy Geek Squad Manager Melissa Fox. Fox reiterated that on October 3, 2016, an individual who identified himself as Brian Shafer, address of 203 North Church Street, Nazareth, Pennsylvania, 18064-1423 (the Subject Premises), telephone number of 610-759-3734, email address of brian2031@verizon.net, left his computer for repair at the Geek Squad. Upon review of Shafer's computer, Fox discovered what appeared to be young boys approximately four (4) to seven (7) years of age and thirteen (13) to fourteen (14) years of age who were naked. Some of these files had boy's names attached to them. Fox had also discovered websites saved in "Favorites" related

to "boys." Fox recalled one of the websites state "previous website had to be shut down as they are often viewed as pedophiles. If you want to access the folders, email the administrator for password login."

9. Fox provided to Special Agent Smith two (2) thumb drives containing Best Buy store video footage of Shafer entering the store with a computer and getting checked in at the Geek Squad counter. Special Agent Smith reviewed the camera footage and determined the person depicted in the video matched the image of a Pennsylvania Department of Motor Vehicles photo of Brian Shafer, address of 203 North Church Street, Nazareth, Pennsylvania, the Subject Premises.

10. Fox also provided to Special Agent Smith a Best Buy Geek Squad Service Order Claim Check signed by Brian Shafer and a Best Buy Geek Squad Service Order Receipt for customer Brian Shafer, also listing an address of 203 North Church Street, Nazareth, Pennsylvania, 18064, the Subject Premises.

11. Also on March 27, 2017, Special Agent Smith interviewed Best Buy Geek Squad Consultation Agent Nicholas Warner. Warner advised that on October 3, 2016, he checked in Shafer at the Geek Squad counter and charged Shafer \$149.99 for the Geek Squad's services. Shafer reportedly complained about his Internet running slowly. Shafer requested the Geek Squad to conduct computer diagnostics to determine the cause of the problem. While Shafer was still present, Warner was going to type "Best Buy" into Shafer's computer's web browser. As Warner began to type the letter "B," the web browser history listed recent web sites that began with the letter "B." One of these web sites listed "Boy review." Warner advised the hyperlink stated something about nude boy's pictures. Warner advised Shafer did not realize that this web browser history was listed and Warner immediately closed out of it. After Shafer left, Warner advised his



Manager Melissa Fox of this situation. Upon further examination of Shafer's computer, Warner viewed File explorer basic directory/recently opened files. Warner determined these files to be jpeg files. Warner also determined that unknown content media was moved to the computer's "E" drive (drive that contains external media such as a thumb drive or external hard drive.) There was also indication through "date modified" notification that files were moved from the "C" drive (computer hard drive) to an external media. Warner believed the "date modified" event was on October 3, 2016. I showed Warner a Pennsylvania Department of Motor Vehicles photograph of Brian Shafer. Warner positively identified the customer who left the computer for repair was the same person depicted in the photograph.

12. Based on my training and experience I believe Shafer moved his child pornography collection to external media sources and attempted to delete the collection from his HP laptop before dropping it off at the Geek Squad for servicing.

13. I reviewed some of the images depicted in the digital forensic examination report derived from Shafer's computer. I observed numerous photographs of prepubescent boys performing anal and oral sex on each other, photographs of prepubescent boys masturbating, photos of toddler's genitalia, and numerous photographs of prepubescent boys posing in sexual positions. The forensic examination also depicted three (3) non-child pornographic photographs of Brian Shafer with an unknown woman and two (2) juvenile boys. In addition, there was evidence of Shafer visiting boy-related websites, such as [www.boysondate.com](http://www.boysondate.com), [rentboysdesire.com](http://rentboysdesire.com), [hotboysatplay.com](http://hotboysatplay.com), and [boycrush.com](http://boycrush.com).

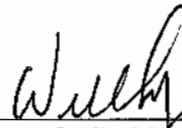
14. On September 28, 2017, a search warrant was executed on Shafer's residence in Nazareth, Pennsylvania. Brian Shafer was home at the time of the search warrant execution. Among other evidence, law enforcement seized a Gateway laptop, bearing serial number

BDB11261761. A forensic preview of the Gateway Laptop revealed a folder on the desktop of the laptop marked "special" which appeared to contain thousands of images depicting the sexual abuse of minors. One such image depicted an adolescent boy naked in a bathtub masturbating. Another image depicted an adolescent boy performing oral sex on an adult male.

15. Brian Shafer was Mirandized and interviewed. Upon questioning Shafer about the thousands of images of child pornography found on his computer, he initially claimed he did not recall. He then stated he downloaded kids, just playing, not sexual. Shafer later admitted to watching boys engage in sexual activities online and naked boys. He also admitted he had downloaded images of naked boys. When further questioned about what was found on his computer, including images of boys engaging in sexually explicit conduct, he stated if it is there he must have done it. Shafer admitted that both the computer that was dropped off at Best Buy for repair and the computer equipment found in his home were both his.

**CONCLUSION**

16. Your affiant, therefore, respectfully requests that the arrest warrant be issued authorizing the arrest of Brian Shafer.

  
\_\_\_\_\_  
William G. Smith  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed before me this 28nd of September, 2017.

  
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HENRY S. PERKIN  
UNITED STATES MAGISTRATE JUDGE